

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JOE LEVI DAY,	:	
	:	CIVIL ACTION NO.
Petitioner,	:	
	:	1:13-CV-2590-MHS
v.	:	
	:	CRIMINAL ACTION NO.
UNITES STATES OF AMERICA,	:	
	:	1:00-CR-131-1-MHS
Respondent.	:	

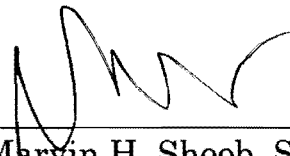
ORDER

This action is before the Court on petitioner's motion for reduction of sentence filed pursuant to 28 U.S.C. § 2255. The Magistrate Judge has issued a Report and Recommendation ("R&R") recommending that the motion be dismissed for lack of jurisdiction, and that a certificate of appealability be denied, because petitioner filed a previous § 2255 motion and has failed to obtain from the court of appeals the required authorization to file a second or successive § 2255 motion. See 28 U.S.C. § 2255(h). Petitioner has filed objections to the R&R, but he has failed to point out any error in the Magistrate Judge's analysis.

Accordingly, after a *de novo* review, the Court **OVERRULES** petitioner's objections [#98], **ADOPTS** the Magistrate Judge's R&R [#94],

DISMISSES petitioner's motion for reduction of sentence [#93] due to lack of jurisdiction, and DENIES petitioner a certificate of appealability.

IT IS SO ORDERED, this 21st day of February, 2014.



Marvin H. Shoob, Senior Judge
United States District Court
Northern District of Georgia